

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Municipal Administration & Urban Development Department – PH&ME Department – Works - Visakhapatnam Water Supply Improvement Scheme (WSIS) with Raiwada and Yeluru canals as source executed by M/s Coramandal Prestecrete Private Limited, Hyderabad – Final payment Rs.52,47,092/- as per the directions of Hon'ble High Court in CCCA No.250/1999, Dt.22.07.2013 - Administrative sanction – Accorded –Orders –Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (C) DEPARTMENT

G.O.RT.No. 780

Dated:10.10.2014

Read the following:-

From the Engineer-in-Chief (Public Health) Hyderabad, Lr.No.174/T1/
General/2013-14, Dt. 08.01.2014 & 24.05.2014.

ORDER:

In the letter 1st read above, the Engineer-in-Chief (Public Health) has stated that, as reported by the Superintending Engineer (PH) Visakhapatnam, M/s Coramandal Prestecrete Private Limited, Hyderabad has executed the Visakhapatnam Water Supply Improvement Scheme for utilization of 16.00 MGD water from Raiwada and Yeluru canals as source. The firm has completed the work and final payment is due for release. At this juncture, the Managing Director, HMWS&S Board, Hyderabad has informed that the firm M/s Coramandal Prestecrete Private Limited, Hyderabad is due to the Board for Rs.27,29,000/- towards recovery cost of materials like G.T. Wire, Cement, M.S. Plates and other items etc., which were not returned to the Board. The Board has requested the ENC(PH) to withhold payments due to the firm and requested to deposit the amount of Rs.27,29,000/- to HMWS&S Board, Hyderabad vide Lr.No.E3/39/CC/WS&SCC/95/143, Dt.10.05.1995 and Lr.No.E3/39/CC/WS & SCC/95/471, dt.18.07.1995. Since the firm did not submit proposals for EOT and supplemental agreement, the payment either to the firm or to the HMWS & SB, Hyderabad did not made so far. The deposits towards this work deposited in the accounts of PAO, Visakhapatnam on implementation of PAO system during 2001. These deposits were lapsed and credited to the Revenue Head by the PAO, Visakhapatnam long back. Hence the payment could not be paid to the firm. Meanwhile, the Firm has approached the Hon'ble Court of IV Senior Civil Judge, City Civil Court, Hyderabad and filed a suit against the ENC (PH) for recovery of sum of Rs.53,74,635/- together with interest 24% per annum, vide O.S.No.364 of 1997 and the Hon'ble IV Senior civil judge, City Civil Court, Hyderabad pronounced his judgment on 23.09.1999, stating that the Plaintiff is not entitled for the suit claimed. Further, the firm has approached the Hon'ble High Court of Judicature of A.P. Hyderabad on 29.12.1999 for granting stay on the judgment of Hon'ble Court of IV Senior Civil Judge, City Civil Court, Hyderabad on O.S.No.364 of 1997 on the file of IV senior Civil Judge, City Civil Court, Hyderabad vide C.M.P.No.126645/1999 in CCCA No.250/1999. Subsequently, the Hon'ble High Court has issued judgment and decree stating that:-

- i) the Appellant (Plaintiff) herein be and hereby is entitled to recover a sum of Rs.12,66,513/- towards final bill and refund of Rs.10,10,748/- and Rs.2,8/6,300/- and these amounts shall carry interest @ 9% per annum from the date of filling of the suit.
- ii) that in case the defendants have paid any part of the amount referred in the Clause No.1, above, it shall be opened to them, to make adjustments duly furnishing the particulars there of and
- iii) that there be no orders as to costs in this appeal vide CCCA No.250 of 1999, dt.02.07.2013

2. He has further stated that, as per the instructions of the Government, a Special Leave Petition before the Hon'ble Supreme Court, New Delhi, on 06.03.2014 vide Dairy No.7973/2014 and the same was dismissed in favour of the firm vide SLP CCC No.6060/2014, dt.17.04.2014. In view of the dismissal of the above case, the payments due to the firm are to be paid as per the orders of the Hon'ble High Court, A.P. Hyderabad.

3. The Engineer-in-Chief(Public Health), Hyderabad has therefore, requested the Government to accord necessary permission to pay the above amount of Rs.52,47,092/- as per the directions of the Hon'ble High Court and also to allocate an additional budget of Rs.52,47,092/- (Rupees Fifty two lakhs forty seven thousand and ninety two only) to the Head of the account No.2215-01-101-11, SH(10)-310-319 to make payment to M/s Coramandal Prestecrete Private Limited, Hyderabad.

[P.T.O.]

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4. Government after careful examination of the matter, hereby accord administrative sanction for an amount of Rs.52,47,092/- (Rupees Fifty two lakhs forty seven thousand and ninety two only) to the Engineer-in-Chief (Public Health),Hyderabad for making final payment to M/s Coramandal Prestecrete Private Limited, Hyderabad towards the work 'Visakhapatnam Water Supply Improvement Scheme (WSIS) with Raiwada and Yeluru canals as source', executed by them, as per the directions of Hon'ble High Court in CCCA No.250/1999, Dt.22.07.2013.

5. The Engineer-in-Chief (Public Health),Hyderabad shall take necessary action, accordingly.

6. This order issues with the concurrence of Finance (EBS-VII.MA&F) Department vide their U.O.No.3089/071/A1/EBS-VII.MA&F/2014, Dt.07.10.2014.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

Dr. D.SAMBASIVA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief, Public Health, PH&ME Department, GoAP, Hyderabad

Copy to:

The Pay and Accounts Officer, Andhra Pradesh, Hyderabad.

The Director of Treasuries and Accounts, A.P., Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

The Finance (EBS.VII. MA&F) Department.

The MA&UD (Budget) Department.

SF/SC.

//Forwarded :: By Order//

SECTION OFFICER